

AMENDED

Serial No. 61211

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAY 08 1995
 Returned to applicant for correction. JUN 01 1995
 Corrected application filed. Map filed. SEP 26 1995

The applicant. Garrett Van Diest, Inc.

Box 867

Street and No. or P.O. Box No.

of Winnemucca

City or Town

Nevada 89446

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 58231

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

Underground

1. The source of water is

Name of stream, lake, underground spring or other source.

678.76 AFA

2. The amount of water to be changed

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

Irrigation

3. The water to be used for

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

Irrigation

4. The water heretofore permitted for

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T. 33N.,

R. 38 E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section

distance to a section corner. If on unsurveyed land, it should be stated.

8 bears S. 03°40' W. a distance of 1240 feet.

6. The existing permitted point of diversion is located within

the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T. 33 N.,

R. 38 E., M.D.B.&M., or at a point from which the NE corner of said Section

5 bears N. 42°56' E. a distance of 165 feet.

7. Proposed place of use

W $\frac{1}{2}$ W $\frac{1}{2}$ and portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T. 33 N., R. 38 E.,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

M.D.B.&M. (169.69 Acres)

8. Existing place of use

NW $\frac{1}{4}$ NE $\frac{1}{4}$ (39 Acres), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (39 Acres), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 Acres),

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40 Acres, portion of NW $\frac{1}{4}$ SE $\frac{1}{4}$ (4.85 Acres) and portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$

manner of use of irrigation permit, describe acreage to be removed from irrigation.

(6.84 Acres) of Section 5, T. 33 N., R. 38 E., M.D.B.&M. Total = 169.69 Acres

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pipe lines, ditches

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$50,000.

13. Estimated time required to construct works. 2 years

5 years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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.....
.....

s/Ernest E. Muller
Ernest E. Muller, Sr., SWRS 702
750 W. Pueblo St.
By Rene, NV., 89509

cl/nsr

Compared.....

Protested.....

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

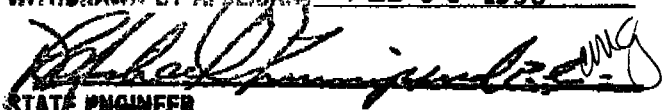
Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, _____,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this.....day of.....
A.D. 19.....

State Engineer

agent
WITHDRAWN BY APPLICANT FEB 05 1996

STATE ENGINEER